

# **Exhibit B**

**[Proposed] Order granting motions for acquittal on Counts 1, 7, and 8 [Dkt.  
Nos. 432 & 445]**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
<i>Plaintiff,</i>	)	
	)	
v.	)	Case No. 1:04-cr-385 (LMB)
	)	
ALI AL-TIMIMI,	)	
	)	
<i>Defendant.</i>	)	
	)	

**[PROPOSED] ORDER**

This matter came before the Court on Defendant’s *Renewed Motion for Acquittal Regarding Counts 7 and 8 In Light Of Intervening Supreme Court Authority*, Dkt. No. 432, and *Renewed Motion for Acquittal on Count 1 in Light of Intervening Authority*, Dkt. No. 445, pursuant to the Fourth Circuit’s modified remand order of July 26, 2016. See Dkt. No. 431. For good cause shown, the Court hereby GRANTS Defendant’s motion.

It is hereby ORDERED that Defendant is acquitted of the government’s charges against him under Counts 1, 7, and 8 in light of the Supreme Court’s intervening opinion in *United States v. Davis*, 588 U.S. \_\_\_\_ (June 24, 2019).

It is further ORDERED that the Judgment against Defendant, Dkt. No. 132, be amended as follows:

The imprisonment sentences as to Counts 1, 7, and 8 are vacated.

The imprisonment sentence as to Count 9 is amended to read: “ONE-HUNDRED TWENTY (120) MONTHS as to Count 9, to be served consecutively to the terms of imprisonment imposed in Counts 2, 3, 4, 5, and 6.”

The imprisonment sentence as to Count 10 is amended to read: “TWO-HUNDRED FORTY (240) MONTHS as to Count 10, to be served consecutively to the terms of imprisonment imposed in Counts 2, 3, 4, 5, 6, and 9.”

**SO ORDERED, this \_\_\_\_\_ date of \_\_\_\_\_.**

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Hon. Leonie M. Brinkema  
United States District Judge